

# **REISSUE APPLICATION DECLARATION BY THE INVENTOR**

Docket Number (Optional)  
023070-010111US

I hereby declare that:

Each Inventor's residence, mailing address and citizenship are stated below next to my name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,406,853, granted June 18, 2002, and for which a reissue patent is sought on the invention entitled Interventions To Mimic The Effects Of Calorie Restriction,

the specification of which

☐

is attached hereto.

☒

was filed on August 25, 2000 as reissue application number 09/648,642

and was amended on \_\_\_\_\_  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐

by reason of a defective specification or drawing.

☒

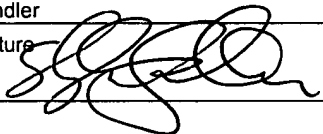
by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐

by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Some of the claims of the '853 patent encompass methods that are in the prior art. In particular, the claims that have no limitation as to the length of the calorie restricted diet or the time period required for changes in gene expression level (claims 1-8 and 14-19) encompass prior art of record such as WO 01/12851.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)					Docket Number (Optional) 02307O-010111US	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.						
Note: To appoint a power of attorney, use form PTO/SB/81.						
Correspondence Address: Direct all communications about the application to:						
Correspondence Address: Direct all communications about the application to:						
<input checked="" type="checkbox"/> Customer Number		20350				
OR						
<input type="checkbox"/> Firm or Individual Name						
Address						
Address						
City		State		ZIP		
Country						
Telephone		Fax				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.						
Full name of sole or first inventor (given name, family name)						
Stephen R. Spindler						
Inventor's signature 				Date		
Residence 6475 Vickers Drive, Riverside, CA 92504				Citizenship United States		
Mailing Address 6475 Vickers Drive, Riverside, CA 92504						
Full name of second joint inventor (given name, family name)						
Inventor's signature				Date		
Residence				Citizenship		
Mailing Address						
Full name of third joint inventor (given name, family name)						
Inventor's signature				Date		
Residence				Citizenship		
Mailing Address						
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.						

PTO/SB/81 (09-03)

<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	
	Filing Date	March 22, 2004
	First Named Inventor	Spindler, Stephen R.
	Title	INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTION
	Art Unit	1655
	Examiner Name	Taylor, J.
	Attorney Docket Number	02307O-010111US

I hereby appoint:

☒ Practitioners associated with the Customer Number

20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

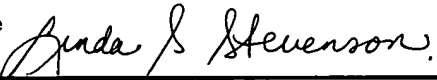
☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

Name	Linda L. Stevenson, Manager of Patent Prosecution				
Signature	<i>Linda L. Stevenson</i>				
Date	March 22, 2004		Telephone	510-587-6000	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		Docket Number (Optional) 023070-010111US
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) SPINDLER, Stephen		
Patent Number 6,406,853	Date Patent Issued June 18, 2002	
Title of Invention INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTION		
<p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>The Regents of the University of California</u> , and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) The Regents of the University of California		
Signature 	Date March 18, 2004	
Typed or printed name and title of person signing for assignee (if assigned) Linda S. Stevenson, Manager - Patent Prosecution		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

Attorney Docket No. 023070-010111US

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: The Regents of the University of CaliforniaApplication No./Patent No.: 6,406,853Filed/Issue Date: June 18, 2002Entitled: INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTIONThe Regents of the University of California, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011973, Frame 0405, or for which a copy thereof is attached.

**OR**

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 18, 2004

Date

510-587-6000

Telephone number

Linda L. Stevenson

Typed or printed name

Linda L. Stevenson

Signature

Manager, Patent Prosecution

Title